GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department – APHC – Implementation of the Orders Dated:08.08.2018 in W.P.Nos. 27940/2018, 28023/2018, 27985/2018 and orders Dated:09.08.2018 in W.P.No. 28142/2018 of the Hon'ble High Court of Andhra Pradesh – Permission Accorded – Orders -Issued.

WATER RESOURCES (Ser.IV) DEPARTMENT

G.O.MS.No. 8 Dated: 10-02-2020.

Read the following:

1 Orders Dated:08.08.2018 of the Hon'ble High Court, Andhra Pradesh in W.P.Nos. 27940/2018, 28023/2018, 27985/2018.
2 Orders Dated:09.08.2018 of the Hon'ble High Court, Andhra Pradesh in W.P.No. 28142/2018.
3 Orders Dated:25.10.2019 of the Hon'ble High Court of AP, Amaravati, in CCs No.828/2019, 825/2019, 830 in W.P.Nos.28023/2018, 28142/2018, 27940/2018 respectively.
4 From the ENC (IW), WRD, AP, Vijayawada, Lr.No. ENC/IW/SE/P&M / EE.I/ E-S/CC.No.828 & others/2020, Dated:06.01.2020.
5 Govt.Letter No.MJIR/210/2019-SER-IV(953308), Dated:29/01/2020.
6 Govt.Memo.No.MJIR/210/2019-SER-IV(953308), Dated:29/01/2020.

ORDER:

In the reference 1st and 2nd read above, the Hon'ble High Court passed the orders Dated:08.08.2018 in W.P.Nos.27940/2018, 28023/2018, 27985/2018 and Dated:09.08.2018 in W.P.No.28142/2018 and made the following:

> *"When similar issue came up in W.P.No.33288 of 2012, this court directed the Government to extend the benefit to the petitioners in terms of the judgement in the Supreme Court in B.Srinivasulu Vs Nellore Municipal Corporation (Civil Appeal No.6318 of 2015, dated.17-08-2015).*
>
> *Accordingly, issue being the same in the present writ petition, the respondents are directed to extend benefit to the petitioners in terms of the judgement of the Supreme Court in the case of B.Srinivasulu cited supra, with in a period of four weeks from the date of receipt of a copy of this order.*
>
> *With the above direction, the writ petition is disposed of. No order as to costs.*
>
> *As a sequel, Miscellaneous Petitions, if any pending, shall disposed of as infructuous".*

2. In the reference 4th read above, the Engineer-in-Chief (IW), Water Resources Department, AP, Vijayawada has stated that the W.P.No. 27940/2018 filed by N. Yellaiah and 4 others, Watchmen, W.P.No.28023/2018 filed by G. Vijaya Raju and another, Office Subordinate, W.P.No.27985/2018 filed by D. Mathaiah and 4 others, Office Subordinate and W.P.No.28142/2018 filed by Sri M. Tirumalaiah, Workman for seeking to count their services rendered as NMRs prior to regularization of their services for the purposes of pensionary benefits and seniority without any monetary benefits in terms of the judgement in the Supreme Court in B. Srinivasulu Vs Nellore Municipal Corporation (Civil Appeal No.6318 of 2015, dated.17-08-2015).

(P.T.O)

3. The Engineer-in-Chief (IW) has further stated that four (4) Special Leave Petitions were filed against the orders of the Hon'ble High Court of Andhra Pradesh in the above said WPs and the same were dismissed by the Hon'ble Supreme Court of India, New Delhi. The Review Petitions were also filed before the Hon'ble Supreme Court of India, New Delhi. He has, therefore, requested the Government to issue necessary orders for implementation of the Hon'ble High Court orders Dated: 08.08.2018 in W.P.Nos. 27940/2018, 28023/2018, 27985/2018 and orders Dated:09.08.2018 in W.P.No. 28142/2018, so as to avoid legal complications in Contempt Cases.

4. The above individuals have filed CC Nos.825, 828, 830 and 1081 in W.P.Nos. 28142/2018, 28023/2018, 27940/2018 and 27985/2018 respectively for Non implementation of the above Hon'ble High Court Orders.

5. Further, the Review Petitions filed by the Department before the Hon'ble Supreme Court of India against the dismissal of Special Leave Petitions were also dismissed by the Apex Court.

6. After careful examination of the matter, Government hereby accord permission to the Engineer-in-Chief (IW), Water Resources Department, AP, Vijayawada for implementing the Hon'ble High Court orders Dated:08.08.2018 in W.P.Nos. 27940/2018, 28023/2018, 27985/2018 and orders Dated:09.08.2018 in W.P.No. 28142/2018, subject to the relief being extended only to the incumbent petitioners mentioned in the above W.Ps and subject to the orders not being treated as a precedent and extended to any person/persons claiming to be similarly situated and subject to outcome of Review Petitions pending before the Hon'ble Supreme Court of India, if any.

7. The Engineer-in-Chief (IW), Water Resources Department, AP, Vijayawada shall take necessary action in the matter, accordingly.

8. This Order issues with the concurrence of the Finance (FMU.WR.III) Department vide their U.O.No.FIN01-FMU0MISC/49/2018-FMU WRD III-FIN, Dated:09.02.2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
The Engineer-in-Chief (IW), Water Resources Department, A.P.,Vijayawada
Copy to:
The Advocate on Records, Hon'ble Supreme Court of India, New Delhi.
The Superintending Engineer, SRBC Circle No.1, Nandyal.
The Government Pleader for Services, A.P.High Court, Amaravati
The Finance (FMU.WR.III) Department

/ / FORWARDED : : BY ORDER / /

SECTION OFFICER